

SATURDAY, NOVEMBER 19, 1870.

## OUR JOURNAL.

The CITIZEN having been in existence but a few weeks, is already a fixed and recognized institution in Arizona. From every quarter it is receiving substantial encouragement, and the best men of the Territory, irrespective of party, are earnestly enlisted in its support and encouraged by the bold, truthful, and fearless stand it has assumed and from which it will not be driven.

It will continue to uphold true men in place and seeking place, and to oppose the schemes and aspirations of false men. It will advocate every measure calculated to benefit the Territory and denounce every one likely to prove detrimental to its interests.

The office will be made very complete, the latest news will be secured from each County and from abroad, and no effort will be spared to make a live, vigorous and able journal, a credit to the capital of the Territory, and an organ acceptable and influential wherever read.

## THE LAWS OF 1866-7-8.

The case of Poindexter against the Vulture Mining Company and others, was decided at the last October term of the District court for Yavapai Co., held at Prescott.

The plaintiff claimed an interest in the Vulture mine by original discovery and location in the year 1863.

The defendants demurred to the plaintiff's complaint, on the ground that it appeared upon the face thereof that neither the plaintiff nor his grantors had been in possession of said mine within two years next preceding the commencement of this suit.

The defendants relied upon an Act approved November 5th, 1866, passed by the Legislative Assembly of the Territory of Arizona, which is as follows:

Sec. 1. No action for the recovery of property in mining claims, or the recovery of the possession thereof, shall be maintained unless it appear that the plaintiff, his ancestor, predecessor or grantor was seized or possessed of the premises in question within two years before the commencement of the action.

The plaintiff's counsel contended that the laws passed by the Legislative Assembly of Arizona Territory for the years 1866-7-8, were invalid, and of no force or effect whatever because the Governor made the appointment of the members of the Legislative Assembly for those years, and consequently the statute of limitations referred to being void, the plaintiff's cause of action was not barred by that statute.

The case was fully argued by counsel on both sides. Judge Tweed, after a careful consideration of the question, held that the demurrer was well taken. That the session laws of 1866-7-8 were valid, and had been since their passage and approval by the Governor.

The Judge further held that, if for any cause, these laws had been invalid, they had been made valid by the Act of Congress approved March 23d, 1870.

This decision sustains, in effect, the opinion of Chief Justice Titus, made nearly one year ago, in a case arising in Pima County. Two of the ablest Judges this Territory has ever had, have held that the Session laws of Arizona Territory for the years 1866-7-8 have always been valid and in full force and effect thereby overruling the malicious and stupid opinion made by Henry T. Backus while he was a Judge of this Territory.

Hon. A. McKey and Dr. Wilbur, who arrived in town on Sunday last with returns from the Gila, left for their homes by Thursday's stage. Capt. John Owen and David Gibson who accompanied them here, are still in town. All these were industrious and live men in the late election.

## Election Returns--Official.

It being inconvenient and of no practical value, we omit a complete tabular statement of the vote of Pima county, and give the following figures which are official:

R. C. McCormick,	Tucson,	253
"	Tubac,	30
"	Chambers' Ranch,	16
"	Sonoita,	9
"	Tres Almos,	12
"	Apache Pass,	5
"	Ft. Goodwin,	20
"	Camp Grant,	58
"	Florence,	13
"	Adamsville,	12
"	Pima Villages,	5
"	Maricopa Wells,	10
"	Kenyon Station,	6

Total,.....449

P. H. Brady,	Tucson,	149
"	Tubac,	11
"	Chambers' Ranch,	5
"	Sonoita,	5
"	Tres Almos,	5
"	Apache Pass,	7
"	Ft. Goodwin,	6
"	Camp Grant,	0
"	Florence,	31
"	Adamsville,	26
"	Pima Villages,	8
"	Maricopa Wells,	4
"	Kenyon Station,	1

Total,.....258

Majority for McCormick, 191.

H. Ott for Sheriff received in

Tucson,	259
Tubac,	31
Chambers' Ranch,	16
Sonoita,	9
Tres Almos,	15
Apache Pass,	6
Ft. Goodwin,	12
Camp Grant,	55
Florence,	15
Adamsville,	12
Pima Villages,	5
Maricopa Wells,	10
Kenyon Station,	5

Total,.....450

G. H. Oury for Sheriff received in

Tucson,	143
Tubac,	9
Sonoita,	4
Chambers' Ranch,	5
Tres Almos,	2
Apache Pass,	6
Ft. Goodwin,	14
Camp Grant,	0
Florence,	23
Adamsville,	32
Pima Villages,	8
Maricopa Wells,	1
Kenyon Station,	2

Total,.....249

Majority for H. Ott, 201.

O. Buckalew for Recorder received in

Tucson,	267
Tubac,	39
Sonoita,	21
Chambers' Ranch,	13
Tres Almos,	18
Apache Pass,	5
Ft. Goodwin,	12
Camp Grant,	55
Florence,	35
Adamsville,	14
Pima Villages,	5
Maricopa Wells,	11
Kenyon Station,	6

Total,.....498

A. Caballero received for Recorder in

Tucson,	134
Tubac,	2
Chambers' Ranch,	0
Sonoita,	0
Tres Almos,	4
Apache Pass,	7
Ft. Goodwin,	14
Camp Grant,	0
Florence,	3
Adamsville,	29
Pima Villages,	8
Maricopa Wells,	0
Kenyon Station,	1

Total,.....203

Majority for Buckalew, 295.

J. E. McCaffrey's majority for District Attorney, over T. P. Duffey, is 232. M. R. Platt's vote for Coroner, there being no opposition, is 435.

The People's Council ticket was elected by an average majority of 208; their Assembly ticket, by 197; and their Supervisors by a fraction over 199.

In the Tucson Precinct, the People's candidates for Justices of the Peace and Constables were elected by majorities averaging about 200.

The late November elections throughout the States have generally given Republican majorities, though some of them reduced from Grant's in 1868. The Democrats have gained a few Congressmen. Next week we will give results so far as received.

## Oficial Retornos de la Eleccion.

Siendo inconveniente y de ningun valor practico, omitimos un completo resumen de los votos del condado del Pima y damos las siguientes numeraciones.

R. C. McCormick,	Tucson,	253
"	Tubac,	30
"	Chambers' Ranch,	16
"	Sonoita,	9
"	Tres Almos,	12
"	Apache Pass,	5
"	Ft. Goodwin,	20
"	Camp Grant,	58
"	Florence,	13
"	Adamsville,	12
"	Pima Villages,	5
"	Maricopa Wells,	10
"	Kenyon Station,	6

Total,.....449

P. H. Brady,	Tucson,	149
"	Tubac,	11
"	Chambers' Ranch,	5
"	Sonoita,	5
"	Tres Almos,	5
"	Apache Pass,	7
"	Ft. Goodwin,	6
"	Camp Grant,	0
"	Florence,	31
"	Adamsville,	26
"	Pima Villages,	8
"	Maricopa Wells,	4
"	Kenyon Station,	1

Total,.....258

Majoria por McCormick, 191.

H. Ott recibio para Alguacil Mayor

Tucson,	259
Tubac,	31
Chambers' Ranch,	16
Sonoita,	9
Tres Almos,	15
Apache Pass,	6
Ft. Goodwin,	12
Camp Grant,	55
Florence,	15
Adamsville,	12
Pima Villages,	5
Maricopa Wells,	10
Kenyon Station,	5

Total,.....450

G. H. Oury para Alguacil Mayor

Tucson,	143
Tubac,	9
Sonoita,	4
Chambers' Ranch,	5
Tres Almos,	2
Apache Pass,	6
Ft. Goodwin,	14
Camp Grant,	0
Florence,	23
Adamsville,	32
Pima Villages,	8
Maricopa Wells,	1
Kenyon Station,	2

Total,.....249

Majoria por H. Ott, 201.

O. Buckalew para Registrador

Tucson,	269
Tubac,	39
Sonoita,	21
Chambers' Ranch,	13
Tres Almos,	18
Apache Pass,	5
Ft. Goodwin,	12
Camp Grant,	55
Florence,	35
Adamsville,	14
Pima Villages,	5
Maricopa Wells,	11
Kenyon Station,	6

Total,.....498

A. Caballero para Registrador

Tucson,	134
Tubac,	2
Chambers' Ranch,	0
Sonoita,	0
Tres Almos,	4
Apache Pass,	7
Ft. Goodwin,	14
Camp Grant,	0
Florence,	3
Adamsville,	29
Pima Villages,	8
Maricopa Wells,	0
Kenyon Station,	1

Total,.....203

Majoria por O. Buckalew, 295.

La mayoria de J. E. McCaffrey para Procurador de Distrito sobre T. P. Duffey es de 232. El voto de M. R. Platt para Coronario es de 435, no habiendo oposicion.

La boleta del Consejo del Pueblo fue elegida por una mayoria de 208; su boleta de la Asamblea por una mayoria de 197, y sus Superintendentes por una faccion sobre 199.

En el Precinto del Tucson los candidatos para Jueces de Paz y Alguaciles Mayores fueron electos por una mayoria de 299 votos por termino medio.

## El Voto Mejicano.

Ningun representante al Congreso ha jamas hablado con tan ardientes palabras de respecto y cumplimiento hacia la poblacion Mejicana de Arizona como lo hizo el Gov. R. C. McCormick. En su discurso del 11 de Julio, se refirio a ellos en varios bien merecidos parrafos: y en todas circunstancias el ha defendido sus derechos y sus intereses.

En su mensaje a la Quinta Legislatura Territorial se espreso en los terminos siguientes:

"En todas vuestras legislaciones atendida a la grande poblacion del Territorio que no estan versados en el idioma Ingles, pero dignos sin embargo de todo respecto y proteccion. Esta poblacion abraza a varios excelentes y energeticos ciudadanos los cuales son notables por su obediencia a las leyes y su pronto contribucion de rentas internas, como tambien por su caracter industrial."

Como todos los negocios del Territorio, dependen y estan identificados con casi todas las proyecciones la restriccion del codigo que impedia ser jurado a alguien que no entendiese las proyecciones en Ingles debe como materia de justicia renoverse y los procesos hacerse en Ingles y Castellano o servirse de interprete.

Desase tambien que todas las leyes de importancia general se impriman en ambos idiomas. En acuerdo con esta sugestion se retiro la restriccion del codigo por un acto de la Legistura y hoy dia los ciudadanos de origen Mejicanos se sientan en nuestros jurados sepan o no el Ingles."

Ciertamente que el protocolo del Gov. R. C. McCormick tocante a la poblacion Mejicana es todo lo que ellos o sus amigos podian desear mas y esta es una razon por que no los pudieron hacer votar contra el a pesar de los esfuerzos que hicieron para forzarlos a votar. Por lo que hace a la relacion de que el Gov. McCormick ha hablado disparatadamente de los Mejicanos la senalamos como la mas baja falsa que bien lo saben sus impudentes autores.

## Yuma County Official Returns.

ED. CITIZEN:—The following is the vote by precincts for Delegate in Yuma County:

R. C. McCormick received in	
Mohawk,	29
Gila City,	39
Castle Dome,	31
Ehrenburg,	71
La Paz,	110
Arizona City,	437

P. R. Brady received in

Mohawk,	11
Gila City,	0
Castle Dome,	0
Ehrenburg,	10
La Paz,	1
Arizona City,	11

McCormick's majority in Yuma co. is 675. Barney, for Treasurer, has a majority of 624.

The following ticket is elected throughout:

For Congress, Richard C. McCormick.

For Territorial Council, J. H. Phillips.

For House of Representatives, C. H. Brinley, M. D. Dobbins, T. J. Bidwell.

For Sheriff, James T. Dana.

For Recorder, James S. Spann.

For District Attorney, R. Colo.

For Public Administrator and ex-officio Coroner, A. A. Mix.

For Treasurer, James M. Barney.

For Supervisors, George Martin, J. M. Redondo, Thos. I. Goodman.

For County Surveyor, R. B. Kelly.

For Justices of the Peace, W. H. Forest, Adam Biggs, H. E. Lindsley.

For Constables, Charles H. Fox and Frank Townsend.

B.

GOVERNMENT CLAIMS.—Any of our readers who have or may have claims against the United States, or any other business of a legal character to transact at Washington, we take pleasure in referring them to Judge E. F. Dunne, whose law card appears in the CITIZEN. Judge D. is without a superior for honesty, thorough energy and persistence in the prosecution of business intrusted to him; his experience is very great, and professional associations and Departmental acquaintance of the best. We have known him intimately for many years, and cheerfully bear testimony to his trustworthiness in all respects.

## NEW ADVERTISEMENTS.

## NOTICE.

A. J. FINLAY is hereby appointed Agent of the Colorado Steam Navigation Company at Yuma, in place of E. D. TUTTLE, resigned.

J. POLHAMUS, Jr.,  
Superintendent.  
Nov. 19.

## SMITH &amp; CRAIGUE,

Wholesale Dealers in

FINE WINES,

LIQUORS,

And CIGARS,

Brick Building,  
Corner of Fourth and K Streets.

New San Diego.

Nov. 19.

## W. B. BANCROFT,

Wholesale and Retail

—DEALER IN—

BOOKS,

STATIONERY,

NEWSPAPERS,

MAGAZINES,

&c., &c., &c., &c.

Goods at San Francisco prices. Corner of 5th and G Streets, NEW SAN DIEGO, California.

Nov. 19.

## A. PAULY &amp; SONS,

Forwarding & Commission

MERCHANTS.

—0—

Goods sent in our care will be forwarded over the Fort Yuma Road with dispatch. Mark goods care

A. P. & SONS, San Diego, California.

Nov. 19.

## CONGRESS HALL

C. O. Brown, Proprietor.

IN CONGRESS HALL BLOCK, TUCSON.

—0—

The Proprietor would respectfully announce to the community of Tucson and traveling public, that he has refitted his House in the latest style, and cannot be excelled east of San Francisco, or west of St. Louis for neatness, order, or accommodations.

—0—

Keeps constantly on hand a large supply of the best quality of WINES and LIQUORS of all kinds, and the choicest brands of WINES and FRENCH BRANDIES for medicinal purposes. Also just received a large quantity of the finest imported Havana Cigars.

—0—

A large and spacious BILLIARD ROOM, elegantly furnished and fitted up, where the guests may entertain themselves after their own tastes.

Nov. 19.

## LORD &amp; WILLIAMS

(POST OFFICE BLOCK)

TUCSON, - ARIZONA;

KEEPS constantly on hand a full assortment of

CLOTHING,

DRY GOODS,

HATS & CAPS,

BOOTS & SHOES,

HARDWARE,

GROCERIES & PROVISIONS

TINWARE,

LIQUORS & SEGARS,

[All fresh and desirable]

Which they offer to the public at the lowest Cash Prices. All kinds of country produce bought.

All orders from outside parts promptly attended to. Cash advanced on consignments.

C. H. LORD.

W. W. WILLIAMS.